

Applicant : B. Roberts, et al.  
Serial No. : 10/028,038  
Filed : December 20, 2001  
Page : 6 of 9

Attorney's Docket No.: 07844-498001 / P462

### REMARKS

Claims 1-13 are pending. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,091,956 ("Hollenberg"). Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollenberg in view of U.S. Patent No. 5,559,520 ("Barzegar"). Claim 1 is amended. Claims 14-18 are cancelled. The applicant respectfully traverses the rejections and requests reconsideration in view of the amendments and following remarks.

#### I. The § 102 Rejections

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollenberg. Claim 1 recites a method for recording and recalling data associated with a location. The method includes using a location aware device to determine a current location and receiving input related to the current location. A location bookmark for the current location is recorded using the location aware device, and stored. A location bookmark has a bookmark location and bookmark content, the bookmark location including the current location and the bookmark content including data associated with the current location based on the received input. At some later time it is detected that a location of the location aware device is within a specified proximity to the bookmark location and that a user-defined condition is satisfied by the bookmark content. The user of the location aware device is automatically notified of the location bookmark.

The Examiner asserts that Hollenberg discloses a method for recording and recalling data associated with a location. Hollenberg does describe a device that can transmit information to a user based on a detected location of the device, e.g., advertisement information (Col. 13, ll. 30-35). Additionally, Hollenberg describes a device that a user can use to capture information while at a location, e.g., taking digital images while shopping (Col. 6, ll. 54-60). However, Hollenberg does not disclose a "location bookmark" that satisfies the criteria of a location bookmark as recited in the applicant's claim 1.

A location bookmark includes a bookmark location and bookmark content. Bookmark content includes data associated with the bookmark location and is based on input received related to the bookmark location. The location bookmark is recorded using the location aware

Applicant : B. Roberts, et al.  
Serial No. : 10/028,038  
Filed : December 20, 2001  
Page : 7 of 9

Attorney's Docket No.: 07844-498001 / P462

device. A location bookmark is something that is recorded by a location aware device based upon input received about a current location of the location aware device, stored and then later a notification is provided to a user of the device if the device is detected within a specified proximity of the location and a user-defined condition is satisfied. The "advertisement information" disclosed in Hollenberg and relied on by the Examiner as disclosing the limitation of recording a location bookmark fails to disclose the limitation; the advertising information is not a "location bookmark". It is not recorded by Hollenberg's situation aware device based on input received about a current location of the device, stored and then later the subject of notification to the user of the device if the device is at that later time detected again within a specified proximity to the location. The Hollenberg device can receive the advertisement information from the service provider the first time the device is ever in proximity to the location; by contrast, a location bookmark requires the location aware device to have been at the bookmark location, the location bookmark recorded and stored, and then when the location aware device returns to the proximity of the bookmark location, the user is notified of the location bookmark.

Further, although Hollenberg does disclose using Hollenberg's situation aware device to capture information at a location, e.g., taking digital images while shopping (Col. 6, ll. 54-60), such captured information also is not a location bookmark. Hollenberg does not disclose that at a later time a location of a location aware device can be detected within a specified proximity to the location (*i.e.*, the shopping location) and that a user-defined condition can be satisfied by the captured information (*i.e.*, the digital images), thereby causing the user to be automatically notified of the location and captured content. Accordingly, for at least the above reasons, Hollenberg fails to disclose the limitations of claim 1, which is in condition for allowance. Claims 2-9 depend from claim 1 and are therefore allowable for at least the same reasons.

## II. The § 103(a) Rejections

Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollenberg in view of Barzegar. Claim 10 recites a device including a means for determining a current location of the device and a means for obtaining data associated with the current location of the

Applicant : B. Roberts, et al.  
Serial No. : 10/028,038  
Filed : December 20, 2001  
Page : 8 of 9

Attorney's Docket No.: 07844-498001 / P462

device. The device further includes a means for recording a location bookmark, a location bookmark including a bookmark location comprising the current location and bookmark content comprising data associated with the current location. A means for storing the location bookmark and a means for retrieving the location bookmark from storage are included in the device. Further, the device includes a means for determining that the device is close to the bookmark location of a previously-stored location bookmark and that a user-defined condition is satisfied by the bookmark content and automatically notifying a user of the device of the previously-stored location bookmark.

The Examiner asserts that Hollenberg discloses all of the limitations of claim 10, except that the current location of the device is determined by the device, and relies on Barzegar to disclose that limitation. Barzegar is directed to a geographical location system that is used to download information to a mobile vehicle specifically relevant to a geographical location of the mobile vehicle (Col. 1, ll. 10-12). The applicant respectfully submits that even in combination, Hollenberg and Barzegar do not disclose the limitations of claim 10. Neither Hollenberg nor Barzegar disclose a means for recording a location bookmark, where a location bookmark includes a bookmark location and bookmark content including data associated with the location, and means for determining that the device is close to the *bookmark location* (of a previously-stored location bookmark), that a user-defined condition is satisfied by the bookmark content, and then automatically notifying a user of the device of the *previously-stored location bookmark*.

As discussed above in reference to claim 1, while Hollenberg may disclose detecting that a device is in a proximity of a location and transmitting information to the device, Hollenberg does not disclose detecting that a device is in a proximity of a bookmark location of a previously-stored location bookmark, particularly where said previously-stored location bookmark is recorded and stored by the device itself. Barzegar may disclose receiving information in a mobile unit relevant to a location of the mobile unit, but does not disclose recording a location bookmark and then detecting the mobile unit is in proximity to a bookmark location of a previously-stored location bookmark. Accordingly, the references do not disclose

Applicant : B. Roberts, et al.  
Serial No. : 10/028,038  
Filed : December 20, 2001  
Page : 9 of 9

Attorney's Docket No.: 07844-498001 / P462

the limitations of claim 10 which is allowable over Hollenberg in view of Barzegar. Claims 11-13 depend from claim 10 and are therefore allowable for at least the same reasons.

Brenda Leeds Binder has been given limited recognition under 37 CFR § 11.9(b) as an employee of the Fish & Richardson PC law firm to prepare and prosecute patent applications wherein the patent applicant is a client of Fish & Richardson PC and the attorney or agent of record in the applications is a registered practitioner who is a member of Fish & Richardson, which is the case in the present application. A copy of the Limited Recognition document, which expires July 26, 2005, is attached hereto.

No fees are believed due, however, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 4/8/05

  
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Brenda Leeds Binder  
Limited Recognition under 37 CFR § 11.9(b)

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

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